

Transportation Permit Efficiency and Accountability Committee (TPEAC) Meeting
November 14, 2001
Wyndham Hotel, SeaTac

Committee Members Attending:

Voting

Sen. Margarita Prentice, Senate Democratic Caucus
Sen. Dan Swecker, Senate Republican Caucus
Rep. Doug Ericksen, House Republican Caucus
Jerry Alb, WSDOT
Gordon White, Washington Dept. of Ecology
Peter Birch, Washington Dept. of Fish and Wildlife
Ashley Probart, Association of Washington Cities
Greg Kipp, Washington State Association of Counties

Non-Voting

Ann Aagaard, Statewide Environmental Groups
Dan Dixon, Consulting Engineers Council of Washington
Roger Boatwright, Washington State Building and Construction Trades Council
Chantal Stevens, Washington State Fish and Wildlife Commission
Willy O'Neil, Associated General Contractors of Washington
Kristen Sawin, Association of Washington Business

Invited

Lynn Childers, U.S. Fish and Wildlife Service
Judith Lee, U.S. Environmental Protection Agency
Bob Turner, National Marine Fisheries Service
Tom Mueller, U.S. Army Corps of Engineers
Dan Mathis, Federal Highway Administration
Sheila North, Federal Transit Administration, Region X
Doug Peters, WA Department of Natural Resources

Observer:

Christine Golightly, Columbia River Inter-Tribal Fish Commission

Committee Members Absent:

Voting

Rep. Phil Rockefeller, House Democratic Caucus

Introductions and Agreement on Last TPEAC Meeting Highlights

Senator Swecker began the meeting with opening comments and introductions of new attendees. It was determined that TPEAC meeting "highlights" would be submitted, rather than meeting minutes. The highlights of the October 10 TPEAC meeting were accepted with some minor amendments.

TPEAC Project Website

Scott Ekman of CH2M HILL presented an overview of the TPEAC project website, including new features that allow TPEAC members to communicate with each other and the subcommittees, upload/download new documents, and post meetings to an online calendar.

Subcommittee Presentations

The five TPEAC subcommittees each made presentations to TPEAC summarizing their work-to-date.

Pilot Projects

The subcommittee's facilitator, Michelle Girts of CH2M HILL, provided an overview of the subcommittee's preliminary screening process to select the three proposed pilot projects, which are as follows:

- Urban – I-405/SR 167 Interchange
- Urban/Rural – SR 24 over the Yakima River, from I-82 to Keyes Road
- Rural – Replacement of the east half of the Hood Canal Bridge

In addition, the SR 99 Alaskan Way Viaduct was also presented as a potential urban project. Another type of project – those with critical bridge scour effects – were also discussed. An example is the SR 522 bridge scour repair project.

The environmental issues and streamlining benefits associated with each project were presented. Michelle also summarized the November 9 joint pilot project/watershed mitigation subcommittee field trip to the SR 24 bridge project site on the Yakima River.

Jerry Alb presented an overview of the WSDOT pilot project selection process. Virginia Gunby spoke on behalf of the Statewide Environmental Groups opposing the I-405/SR 167 pilot project. This project is in the programmatic EIS planning phase. Several environmental groups have filed comments on the Draft EIS requesting an alternative to be considered in a supplemental EIS. The environmental groups believe that the pilot projects should be non-controversial; act as model projects for streamlining; and be funded at the project level (not at the corridor level as I-405 currently is). Ashley Probart of the Association of Washington Cities expressed similar concerns about the status of funding for the I-405/SR 167 project.

There was discussion among the committee regarding pilot project funding and mitigation requirements. A resolution was introduced to select the three proposed pilot projects. Sen. Swecker called for a roll call vote. The resolution passed with all voting members present supporting the resolution.

Training, Compliance, and Reporting

Subcommittee co-chair Willy O'Neil of the Associated General Contractors of Washington presented an overview of the subcommittee's status and achievements. The subcommittee is in the process of categorizing its scope elements, and has initiated a

process to achieve a baseline understanding of compliance issues. The subcommittee's selected process will include assessing baseline conditions, performing gap analyses, performing benchmarking, and creating recommendations to improve existing training, compliance, and reporting systems. The subcommittee's next meeting will be held on December 20.

Watershed-Based Approach to Environmental Mitigation

Subcommittee chair Peter Birch of the Washington Department of Fish and Wildlife presented an overview of their actions to date. The subcommittee has heard technical presentations from several regulatory agencies and has conducted an affinity exercise to identify issues of concern or interest to subcommittee members. The subcommittee attended the SR 24 Yakima River bridge field trip on November 9. Their next meeting will be held on December 4.

One-Stop Permitting

Subcommittee co-chair Kristen Sawin from the Association of Washington Business summarized the results of their meetings. The subcommittee continues to clarify its scope. The subcommittee has not been able to agree upon a vision statement and forwarded two alternate versions to TPEAC. A motion to rewrite the vision statement as follows was presented:

“One-stop permitting coordinates environmental review and permit decision-making among federal, state and local agencies while involving stakeholders more efficiently and effectively, and addressing local and site-specific concerns. The end result is to reduce delays and their negative impacts.”

The motion was adopted with five of the voting members present supporting the motion. The next meeting of the subcommittee will be held on November 28.

Programmatic Process

Subcommittee co-chair Scott Boettcher of the Department of Ecology presented an overview of their subcommittee status. The subcommittee has agreed to a vision statement, has learned from each other about existing programmatic processes, and has agreed to further explore a two-fold conceptual programmatic process. Their next meeting on December 10 will refine and develop this conceptual process.

Travel Reimbursement/Status of Liaison Hiring

Jerry Alb presented information on travel reimbursement procedures for TPEAC members attending meetings in different parts of the state. He also presented an update on the status of permit streamlining liaison staff hiring within the various regulatory agencies.

Non-Voting Member Presentations

Five non-voting TPEAC members gave presentations about their perspectives, concerns, and critical success factors related to permit streamlining. These presentations are summarized below:

Terry Tilton, Washington Building and Construction Trades Council

- Consolidation of permitting responsibilities should address the individual responsibilities and objectives of present multiple permitting authorities
- Consensus should be achieved on the resolution of overlapping/conflicting permitting issues; a single standard should be developed that is agreed upon by existing permitting authorities
- Efficiencies should be gained from elimination of redundant requirements
- Substantial time savings should be accomplished in permitting specific projects
- Existing permitting agencies should be satisfied that environmental permitting objectives and responsibilities have been accomplished
- Measurable, improved achievement of environmental mitigation shall be achieved under the new process
- Public and environmental groups should demonstrate acceptance and credibility of the new process and its actual performance

Ann Aagaard, Statewide Environmental Groups

- Work from a documented information base to accurately define the problem(s) which have made the permitting system inefficient
- Pursue solutions which are aimed directly at solving the problem(s) identified while insuring protection of natural resources
- Evaluate the success or failure of the solution(s) using quantifiable and analytical methodologies
- Compile and disseminate results and work to incorporate these ideas into the decision-making process
- Streamlined permitting should be a process of coordination, not collapsing the permitting process into a “one size fits all” methodology.
- Pilot projects must be selected that are capable of demonstrating the defined problem and applying specific coordinated processes. Efficiency and effectiveness gained must be quantifiable. Projects should not be selected on a programmatic level.
- Commitment to restoration of the environment must result in net improvement of ecological systems.
- Acceptance should be demonstrated that federal laws limit authority of state regulations (e.g. ESA and Clean Water Act)

Kristen Sawin, Association of Washington Business

- Each participant must have an open-mind about new processes
- Build public trust in permitting processes
- Streamlining should cut time and money
- Lessons learned from pilot projects should be applied to all projects, not just transportation

Lynn Childers, U.S. Fish and Wildlife Service

- Process must ensure fish and wildlife are considered during all phases of permitting
- Efficiency – faster and better decisions without impacts to fish and wildlife species
- Coordinate agency abilities to participate in planning

Judith Lee, U.S. Environmental Protection Agency

- TPEAC should consider a 6th subcommittee to review early involvement and coordination in NEPA planning process (EPA and WSDOT agreed to come to the next meeting with a written proposal for the 6th subcommittee, describing subcommittee purpose, cost, necessary liaison resources, and desired membership)
- Integration of land use, transportation planning, and environmental protection
- Incorporate environmental values into transportation planning

Project Development Process

Scott Ekman presented a process map demonstrating the “as-is” process for developing a transportation project through the following phases: assessment; planning; ad/bid/award; and execution. This map clearly showed the division of responsibilities and interaction between WSDOT environmental project managers, WSDOT regulatory compliance staff, WSDOT design staff, and regulatory agencies. The process map also includes the tools and mechanisms utilized during each phase of the process, and the duration of each step. This process map was developed by CH2M HILL in interviews with WSDOT, Ecology, and WDFW staff. A preliminary list of issues to be addressed by permit streamlining was compiled and presented. Several TPEAC commented that this process map was very informative and would serve as a useful tool throughout the streamlining process. Judith Lee of U.S. E.P.A. proposed another “do-loop” be added to the process map within the NEPA/SEPA review process.

Critical Success Factors Exercise

Scott Ekman led an exercise to create a “forcefield diagram” to represent the current processes and issues that are either enablers or hindrances to the permit streamlining process. The group identified lists of both enablers and hindrances, and participants were invited to vote on the two most significant hindrances. Below is a summary of the identified issues with the corresponding number of votes for the hindrances in parentheses ().

<u>Enablers</u>	<u>Hindrances</u>
25 years experience	No agreement on level of detail (7)
Some well-written regulations	Lack of trust between regulated community and regulating agencies (7)
Legislative changes	Lack of intra-agency trust (5)
Public pressure	Legislative (legal) restraints
Information systems	Conflicting agency mandates
Public support	Variability in quality of permit submittals
Liaisons	Lack of transportation funding
Clear standards	Legislative pressure for too many projects
Better science	Process too complicated (4)
	Inconsistent project funding
	Stakeholders fear lack of control
	Lack of quality control; inconsistency between regions
	Agency decision-making processes not clear or transparent
	Lack of proactive resource conservation planning
	Better science makes it more difficult to complete projects
	Straight-jacketed standards
	Stakeholders turf-protecting (7)
	Lack of community connection
	Lack of direction from legislature and governor

Plus/Delta, Future Meeting Schedule

The committee discussed positive aspects of the meeting and items that should be changed. The next TPEAC meeting will be held on December 12, 2001 from 9am – 3pm at the Best Western hotel in Bellingham.

Senator Swecker adjourned the meeting.